

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
FEBRUARY 10, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, February 10, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose "Butch" Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on January 27, 2009. A **motion** was made by Ambrose "Butch" Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

SOUTHERN INDIANA LEATHERNECKS 5K RUN

Dave Englert, representing the Southern Indiana Leathernecks Marine Corps League, asked permission to use the Sports Complex and the same City streets as last year in order to hold their 5th annual 5K Run on Armed Forces Day, May 16, 2009. Registration will begin at 7:00 a.m. with the race starting at 8:00 a.m. The run begins on the West side of the Sports Complex parking lot, thence North on Old Huntingburg Road, thence right on West Division Road to St. Charles Street, south on St. Charles Street to 12th Avenue, across 12th Avenue to Kimball Blvd, then onto 100 South.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the Southern Indiana Leathernecks to use the same City streets as last year for the 5th annual 5K Run on condition all participants sign a waiver form, and on condition the police department is notified one week in advance of the event. Motion carried 3-0.

VENTURE CREW 185 FUNDRAISER

Mike Pfau and Ed Messmer, representing Holy Family Venture Crew 185, a high adventure group to keep boys interested in Boy Scouts, asked permission to use Dave Buehler

Plaza and the shelter houses on May 3, 2009 for a fundraising event. The fundraiser is a public food sampling event called 'Taste of Scouting' that shows what and how the scouts cook on their camping trips. The event will be held from 4:00 p.m. to 7:00 p.m. with setup and preparation time needed for most of the day. Tickets or wrist bands would be sold for a fee which allows a person to sample the food. Food will not be sold to go. Pfau said there may be some other displays and the scouts would like to erect a teepee.

City Attorney Sandra Hemmerlein said the City of Jasper will need a certificate of insurance. Messmer said the Boy Scouts of America carries the liability insurance and will be able to provide the certificate. Fire Chief Kenny Hochgesang said they may need to obtain an entertainment permit from the State. Pfau stated that he will show the fire chief the equipment that will be used to cook the food.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve the request of Troop #185 to hold a fundraiser at Buehler Plaza on May 3, 2009 from 4:00 p.m. to 7:00 p.m. plus preparation time on condition the Scouts and anyone else such as the one who gives kayak rides provide a certificate of insurance; and follow up with the fire chief about whether or not an entertainment permit is needed. Motion carried 3-0.

JHS SOFTBALL BOOSTER CLUB FUN RUN

Pat Masterson, representing the JHS Softball Booster Club, asked permission to hold a Fun Run on March 7, 2009 at 9:00 a.m. The run will start at the JHS field on 15th Street, thence right on St. Charles to the St. Charles Health Campus, turn around and come back to field. He stated this fund raiser would help to send the girls to Alabama. He said the participants would sign a waiver similar to the one that was used for the Turkey Trot.

A **motion** was made to approve the request of the JHS Softball Booster Club to have a Fun Run on March 7, 2009 at 9:00 a.m. on condition all participants sign a waiver form, and on condition the police department is notified one week before the event. Motion carried 3-0.

AMERICAN LEGION BLOCK OFF ALLEY

Daniel Lawson, Commander of the American Legion, asked permission to block off the part of the alley that is located directly behind the Legion building while B-Dry is working on the east and west walls of the basement. The project will take until Friday to complete.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request to block the alley directly behind the Legion to do repair work and if it goes beyond Friday, contact the Jasper Police Department. Motion carried 3-0.

GREATER JASPER DOWNTOWN BUSINESS ASSOCIATION FUN RUN

Nina Faulk, representing Greater Jasper Downtown Business Association, asked permission to hold their 4th annual downtown Fun Run on Saturday, April 11, 2009. Registration will be held at the Train Depot beginning at 7:00 a.m. with the run beginning at 8:00 a.m. The run begins at 4th and Main Streets, proceeds north on Main Street to 15th Street, then 15th Street east to the River Walk, then south on the Riverwalk path. Faulk asked for cones with SLOW signs be placed at 15th and Main Street to notify motorists of the run.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the Greater Jasper Downtown Business Association to hold their Fun Run on April 11,

2009 at 8:00 a.m. with registration starting at 7:00 a.m. on condition participants sign a waiver and Faulk notifies the Police Chief one week before the event. Motion carried 3-0.

6TH ANNUAL CHALK WALK

Arts Director Kit Miracle asked permission to close The Square on Saturday, May 2, 2009 with a rain date of May 9, 2009 from 8:00 a.m. to 4:00 p.m. as in the past for the 6th annual Chalk Walk. Set up will begin at 6:00 a.m. and they should be finished by 5:00 p.m. She asked to close the streets at 5th and Main Street, 7th and Main Street, 6th & Newton Street and 6th & Jackson. Miracle asked if the police would patrol the area during the days because of the number of children that attend the event. Mayor Schmitt stated that this is a nice community event and many people have called about it already.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the use of the downtown area for the annual Chalk Walk on May 2, 2009 with a rain date of May 9, 2009 and coordinate assistance with the other various City departments. Motion carried 3-0.

STREET COMMISSIONER REPORTS

Street Commissioner Raymond Eckerle reported that during the recent ice storm a call was received from the local Wal-Mart that they would serve a hot lunch for the emergency workers on January 28 and January 29, 2009. Eckerle also said Personnel/Safety Director Charles Schneider made three gallons of chili soup for the workers.

PERMANENT PART-TIME WORKERS

Street Commissioner Raymond Eckerle said the street department has six part time employees for the summer and during school breaks. He said one person left and two more may be leaving, therefore, he asked permission to replace the part-time workers so they have a total of six permanent part time employees. Mayor Schmitt stated summer is a busy time and extra help is needed.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to go ahead and fill the available permanent part-time positions up to a maximum of six workers. Motion carried 3-0.

NEW COMPUTERS

Street Commissioner Raymond Eckerle said he needs to purchase a new computer for the project technician, move the project technician's computer to the assistant street commissioner, and replace the street commissioner's computer that is nine years old. Eckerle asked permission to purchase two computers. The cost for the project technician's computer is approximately \$2,000.00 and the cost for the Street Commissioner's computer is about \$1,000.00.

Mayor Schmitt said at the last meeting, the Board had the personnel/safety director hold off getting quotes for a new vehicle until the 2009 budget is certified. Schmitt also said he does not take these requests lightly. A computer for the operation of business is different than a vehicle and he understands the circumstances because of the restructuring of the offices.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request for a new computer for the project technician because of new alignment of personnel and hold off on the Street Commissioner's computer until the budget has final approval. Motion carried 3-0.

ICE STORM UPDATE

Street Commissioner Eckerle gave an update about the ice storm. He stated that eight one-ton trucks, two trucks with chippers, two dump trucks with loaders are working to clean up after the ice storm but tomorrow does not look good with 55 to 60 mph winds predicted.

Eckerle said the 500 gal tank on the small brine truck needs to be replaced before the next winter season. He would like to go to the next level which is a 1000 gal. tank. He said the City would need a truck that could carry that size tank. Federal Surplus may have such a truck. He said there is a State surplus auction coming up possibly in April and he would like permission to put a bid in if a truck is available. Mayor Schmitt said we need to pursue this as snow removal from the streets raises the ire and is the responsibility of the City.

MILL PROJECT CHANGE ORDER #0809

City Engineer Chad Hurm asked the Board to approve Change Order #0809 for the Mill project. The change order is for supplying and installing three additional windows for a cost of \$1,824.00. Mayor Schmitt said ROJAC previously approved the change.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve Change Order #0809 for the Mill Project for an additional \$1,824.00. Motion carried 3-0.

ROAD INVENTORY

City Engineer Chad Hurm reported that it is time to update the City's annual street mileage and certify the changes to the State. Hurm displayed a map of the City and indicated the streets that we are adding to the inventory that totaled 4.6 miles. Hurm asked the Board to adopt the resolution that certifies the additional mileage to the State.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve Resolution No. BPWS 2009-2 regarding road inventory. Motion carried 3-0.

SPEED LIMIT STUDY-3RD AVENUE

City Engineer Chad Hurm said it was discovered the speed limits for the area along 3rd Avenue from State Road 164 to A Street are not included in a City ordinance. Previously that area was also known as State Road 162 and was controlled by the State until State Road 162 was relocated. Three speed studies along 3rd Avenue were previously done and the recommendation is to keep the speed limits as they are currently posted which are:

State Road 164 to Herbig Lane – thirty-five (35) mile per hour;
From Herbig Lane to Meridian Road – forty (40) per hour;
From Meridian Road to A Street – forty-five (45) miles per hour.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to recommend to the Council that the speed limits on 3rd Avenue be incorporated into an ordinance as posted. Motion carried 3-0.

RESOLUTION NO. BPWS 2009-1-STOP STICKS

Police Chief Douglas Tarvin said the City was able to obtain ten sets of stop sticks through a grant, therefore, a policy regarding the use of the stop sticks needs to be adopted. The Board was asked to adopt Resolution No. BPWS 2009-1 that contains Policy No. 1402 under the police department rules and regulations handbook that deals with the use of stop sticks.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to pass and adopt Resolution No. BPWS 2009-1 to add police rules and regulations Policy No. 1402 regarding the use of stop sticks. Motion carried 3-0.

POLICE REPORTS

Police Chief Douglas Tarvin presented to the Board for its review the following reports for the Jasper Police Department:

Monthly Activity Report for January 2009

HANDGUN LICENSING FEE SCHEDULE

City Attorney Sandra Hemmerlein said when someone applies for a handgun license there are two parts to the fee, the State fee and the City fee. The State has rules for those who are exempt from the State fee. Our ordinance says certain positions are exempt but it is not clear when you read what the State law says. Hemmerlein suggested an applicant pay the license fee. If the applicant is exempt from paying the additional state fee, the applicant may submit a request for refund to the City of Jasper along with proof from the state that the applicant was exempt from paying the state fee and the applicant's local fee will then be refunded to the applicant.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to recommend to the Council to amend the ordinance to reflect that qualified handgun license fee exemptions under State law be exempt under our ordinance. Motion carried 3-0.

UNITED LABORATORIES TRUCK TESTING

Fire Chief Kenneth Hochgesang showed the board the United Laboratories schedule for truck testing for this area and stated that it saves the City money by incorporating other area fire departments in the schedule. The price to test two aerial trucks is \$1,250 per truck and the ground ladder is \$2.60 per foot.

CARBON MONOXIDE DETECTOR.

Fire Chief Kenny Hochgesang reported that the carbon monoxide detector went bad. He asked to remove item #100411 from the asset list because it has no value. The cost to repair it the unit is \$891.00 and the cost for a new one is \$778.00. Hochgesang said if he gets permission, the old detector will go back to the company and they will destroy it.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to remove asset #100411 from the fire department's asset records and have the item destroyed. Motion carried 3-0.

LETTER OF RETIREMENT

Fire Chief Kenneth Hochgesang stated he received a letter from Assistant Fire Chief Mike Eckert stating he is retiring from the fire department after 24 years of service. Eckert is retiring effective May 3, 2009.

Mayor Schmitt stated that it is with regrets to accept the letter as Eckert was an excellent firefighter and a good role model for the younger firefighters. Mike put the department in front of everything in his life and now it is time for him to move on. We wish him the very best and accept the resignation with regrets.

A **motion** was made by Mayor Schmitt and with regrets seconded by Thomas Schmidt to accept the letter of resignation from Mike Eckert effective May 3, 2009. Motion carried 3-0.

ANNUAL INSTRUCTORS CONFERENCE

Fire Chief Kenneth Hochgesang asked permission to send four firefighters to the annual Instructors for Firefighters Conference in Indianapolis from April 20, 2009 to April 25, 2009. The cost will be \$70 per ticket plus one room for three nights. They will attend on Wednesday, Thursday, and Friday.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve up to four firefighters to attend the Fire Department Instructors Conference. Motion carried 3-0.

FARMERS MARKET

Administrative Assistant Lois Kuntz, representing the Greater Downtown Business Association, asked to use the depot lawn for the Farmers Market from June 6, 2009 until mid October for approximately 20-25 vendors on Saturdays from 7:00 a.m. to 12:00 noon and also on Wednesdays.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to again welcome the Farmers Market back from June 6, 2009 to October. Motion carried 3-0.

EASEMENTS

City Attorney Sandra Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Utility Easements

BW Realty of Jasper, LLC, Michael L. Siebert, Managing Member, Robert L. Siebert Member, Marilyn A. Thyen, Member, Part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of S 35, T1S, R5W, and part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of S 34, T1S, R5W.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve and accept the easement as described by the City Attorney. Motion carried 3-0.

CLAIMS. Claims against the City from January 9, 2009 to February 5, 2009 were presented to and examined by the board. Those claims were found to be just, due and owing were approved 3-0 upon **motion** by Thomas Schmidt and seconded by Mayor Schmitt.

ADJOURNMENT. There being no further business to come before the board, a **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:31 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 24th day of February, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary